



Pat. No. A33063-067691.0115
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

31
LDT
9-26-03

Appellant(s): Alexander Tuzhilin et al.

Serial No.: 09/013,490

Filed: January 26, 1998

For: METHOD AND APPARATUS FOR
MONITOR AND NOTIFICATION IN A
NETWORK

On Appeal to the Board of
Appeals and Interferences

Group No. : 2155

Examiner: P. Winder

RECEIVED

SEP 23 2003

REQUEST FOR ORAL HEARING (37 C.F.R. § 1.194(b)) Technology Center 2100

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. **REQUEST FOR ORAL HEARING**

Applicant hereby requests an oral hearing of the Appeal in this Application.

2. **TERM FOR REQUEST**

☒ The Examiner's answer was mailed on July 16, 2003.
The term for filing the request for oral hearing is two months from that mailing date
(37 C.F.R. § 1.194(b)).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

☒ deposited with the United
States Postal Service with sufficient
postage as first class mail in an
envelope addressed to the Assistant
Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450
Date: September 15, 2003

☐ transmitted by facsimile to the Patent and
Trademark Office

Signature

GARY ABELEV

(type or print name of person certifying)

09/18/2003 RHONDAF1 00000033 09013490 140.00 00
01 FC:2403

3. **STATUS OF APPLICANT**

This application is on behalf of

☐ other than a small entity

☒ small entity

Verified statement

☐ attached

☒ already filed

4. **FEE FOR REQUEST FOR ORAL HEARING**

Pursuant to 37 C.F.R. § 1.17(d) the fee for filing the request for oral hearing is:

☒ small entity \$ 140.00

☐ other than a small entity \$ 280.00

Fee due \$140.00

5. **TOTAL FEE DUE**

The total fee due is:

Request for Oral Hearing Fee \$140.00

6. **FEE PAYMENT**

☒ Attached is a check in the sum of \$140.00.

☐ Charge Deposit Account No. 02-4377 the sum of ____

A duplicate transmittal is attached.

7. **FEE DEFICIENCY**

☒ The Commissioner is hereby authorized to charge payment of any additional fees required associated with this communication to Deposit Account No. 02-4377. Two copies of this sheet are provided for this purpose.

Respectfully submitted,



Gary Abelev
Patent Office Reg. No. 40,479
BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112

Attorney for Applicants
(212) 408-2500

Encl.

**BAKER BOTTS LLP**Please type a plus sign (+) inside this box → ☒**RECEIVED**

SEP 23 2003

Technology Center 2100

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/013,490	
	Filing Date	01/26/1998	
	First Named Inventor	Alexander TUZHILIN et al.	
	Group Art Unit	2155	
	Examiner Name	P. Winder	
Total Number of Pages in This Submission	19	Attorney Docket Number	A33063 067691.0115

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Reply Brief on Appeal, Return receipt postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks <input type="checkbox"/>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

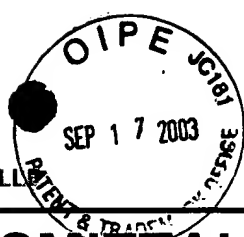
Firm or Individual name	Baker Botts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	 Att Name: Gary Abelev PTO Reg: 40,479
Date	09/15/03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 09/15/03

Typed or printed name	Gary Abelev
Signature	Date 09/15/03

BAKER BOTTS LLP



RECEIVED

SEP 23 2003

Technology Center 2100

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$140)

Complete if Known

Application Number 09/013,490

Filing Date 01/26/1998

First Named Inventor Alexander TUZHILIN et al.

Examiner Name P. Winder

Art Unit 2155

Attorney Docket No. A33063 067691.0115

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) due by reason of this submission☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 20 = 0	0	0
Multiple Dependent	- 3 = 0	0	0

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	140
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$140)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Gary Abelev

Registration No.
(Attorney/Agent)

40,479

Telephone (212) 408-2522

Signature

Date 09/15/2003



BAKER BOTTS LLP

Attorney Docket Number:

A33063 067691.0115

Title: METHOD AND APPARATUS FOR MONITOR AND NOTIFICATION IN A NETWORK

RECEIVED
SEP 23 2003
Technology Center 2100

Use Space Below for Additional Information: